

Board of Dentistry

Minutes

Date: January 28-30, 2004

Location: Cumberland Room
Ground Floor, Cordell Hull Building
425 Fifth Avenue North
Nashville, TN 37247-1010

Members Present: J. Glenn Greer, D.D.S., President
Marlene S. Fullilove, R.D.H., Vice President
Charles L. Rogers, D.D.S., Secretary/Treasurer
Beth A. Casey, R.D.H.
Bobby Cook, D.D.S.
Harold L. Fitts, D.D.S.
William D. Nally, D.M.D.
Eben A. DeArmond, Jr., D.D.S.
Kenneth K. Schenck, Jr., D.D.S.
Mark H. Wildasin, Esq.

Staff Present: Paul David, Board Director
Dea Smith, Board Manager
Tammy M. Roehrich, Board Administrator
Robbie Bell, Director, Health Related Boards
Ernest Sykes, Jr., Assistant General Counsel
Jerry Kosten, Regulations Manager
Harry Weddle, Deputy General Counsel

Administrative Staff: Madeline Williams, Administrative Law Judge
Jackie F. Wisinger, Court Reporter

Guests: Dental Assisting Students, Tennessee Tech. Center of
Murfreesboro, Tennessee Tech Center of Dickson, Volunteer State
Community College

January 28, 2004

The Board's President, J. Glenn Greer, D.D.S., determined a sufficient number of board members were in attendance to constitute a quorum. The quorum was determined by the presence of Dr. Rogers, Ms. Casey, Dr. Cook, Dr. Greer, Dr. DeArmond, Dr. Nally, Dr. Fitts, Mr. Wildasin, and Dr. Schenck. Therefore, the meeting of the Tennessee Board of Dentistry was called to order at 10:05 p.m., Central Time.

Ms Fullilove arrived to the meeting around 10:45.

Conflict of Interest Policy

Dr. Greer requested the Board members review the Conflict of Interest Policy, which was included in the notebooks.

Approval of Minutes

After review, Dr. Greer asks for clarification on information on page 5 concerning limiting the number of hours that could be done electronically. It was explained that the rules would go back to the original language. Ms. Beth Casey noted that he did not receive the minutes prior to the meeting. After the explanation a motion was made and second to accept the minutes for the September 18-19, 2003 Board Meeting. Motion carried.

Rules

Mr. Jerry Kosten explained the Office of General Counsel was asking that all Board (26 in all) adopt a rule concerning order of compliance & order modifications. This would change the language in rule 0460-1.06. Ms. Casey asks if any of the other Boards had problems with making the changes. It was explained that they did not. Dr. Greer asks if the forms could be changed easily and was told that they could. Dr. DeArmond asks if the language could be changed to read "a form" instead of just "form". Mr. Sykes explained that to make that change there would have to be another rule making hearing. Dr. DeArmond made a motion to change language to non-limited language. Dr. Schenck seconded the motion. Motion carried. Mr. Kosten will work on the correct language to use in the rule. Roll call voted was taken and all Board members voted in the affirmative to except the changes. Ms. Marlene Fullilove was not present at the time of this vote.

Mr. Kosten passed out a list which showed all of the rule changes made or in process for all boards in Health Related Boards.

Financial Report

Ms. Lisa Tittle, Budget Officer, reported the Board closed the fiscal year with a deficit of Three Hundred Eighty-Seven Thousand Eight Hundred and Two Dollars (\$387,802). Discussion was held regarding the replacement of the Regulatory Board System the department utilizes in tracking applications and the Controlled Substance Monitoring Act. Ms. Tittle explained that the Board must be self supporting. She let the Board know that the fees collected increased in 2003; however the cost & expenses increased. Ms

Tittle felt that an increase in fees for all of the professions would be a good way to help with the deficit.

Rules Continued

Mr. Kosten made the Board aware of the rule making hearing on April 27, 2004.

Mobile Dental Clinics/Treatment of Nursing home patients- There was discussion on weather or not there is a need to have rules on Mobile Dental Clinics. Dr. DeArmond feels that they would be under the same guide lines as a regular dental office. Ms. Smith explained that at this time there are no rules in place to govern dental office. She also explained that this issue was brought to the attention of the administrative staff through several investigations. Ms Smith let the Board know that she had consulted Dr. Suzanne Hubbard, who at one time ran a mobile dental clinic for the state. The Board decided to table both of these issues until clarification on the need to have rules on each.

Rule 0460-2-.07(5)(c), Anesthesia & Sedation is amended to read “All antianxiety and premeditation and all sedation techniques (except nitrous oxide & oxygen) used for children age thirteen (13) and under require a comprehensive conscious sedation permit.” There was discussion on how and why the age of thirteen (13) was used as an age limited. Mr. David explained the findings of the Sedation Committee on the issue.

Rule 0460-10(5)(b), Advertising will be changed as follows: The list of specialties will be deleted from (10)(b)(2), the wording in (10)(5)(d) and (10)(5)(e) was changed.

Rule 0460-1-.18, Restraint of Pediatric and Special Needs Patients. There was discussion on weather it was necessary to have rules on restraint. Ms. Smith explained how the issue had come up and that she had Dr. George Adams, the pediatric consultant, review this proposed rule. There will be not changes to this rule.

Motion to send to rule making hearing was made my Ms Beth Casey, second my Dr. Fitts. All members presenting voting in the affirmative to sent to rule making hearing.

Roll Call Vote

0460-1-.01 Definitions for Oral & Maxillofacial Surgery.

Reprehensive from the TDA(Tennessee Dental Association) submitted changes that the Board accepts.

0460-1-.02, Fees- Discussion was held on the need to increase the fees. Ms Kosten explained about sun shining Board that remains at a deficit. He gave percentages on the amount each profession had sent in administrative cost, disciplinary cost.

Motion was made by Dr. Cook to adopt rules as proposed, second by Dr. Fitts. The following members voted in the affirmative to adopt the rules: Dr. Greer, Dr. Rogers, Dr. Fitts, Dr. Cook, Dr. Nally, Dr. DrArmond, Dr. Schenck, and Mr. Wildasin. The following voted negative to adopt: Ms. Fullilove and Ms. Casey.

Roll Call vote taken the following members voted in the affirmative to accept the rules as proposed: Dr. Greer, Dr. Rogers, Dr. Fitts, Dr. Cook, Dr. Nally, Dr. DeArmond, Dr. Schenck, and Mr. Wildasin. The following voted against adopting the rules as proposed: Ms Fullilove, and Ms. Casey. Motion carries majority wins.

Dr. Greer, Board President, brought the meeting back to order after returning from an hour lunch break.

Discussion State Clinical Exam

Dr. Greer welcomed Dean William Slagle, former dean of University of Tennessee Dental School, Dean William Butler, current dean of Meharry Dental School, Dr. Morris Robbins, of the TDA, and Dean Kilpatrick, the new dean of the University of Tennessee Dental School. A notebook with a detailed outline and format of the exam was passed out to the Board and Administrative staff for review. Dean Kilpatrick addressed the Board expressing his feeling about the exam. He then introduced J.B Selectman, president of the graduating class of 2004 at the University of Tennessee at Memphis. Mr. Selectman addressed the Board to let me know that his class is in favor of the exam. Dean Slagle and Dean Butler address the Board and explained the outline and format of the exam. It was explained that Dr. Lloyd George has calibrations on CD-Rom. The Board members would have to be before the exam to do the calibrations. The calibrations would take 2-3 hours. Dean Slagle suggested April 16-17, 2004 and April 23-24, 2004 as dates for the exam. These dates conflicted with the SRTA exam and two (2) or more of the Board members would not be able to be there. The only dates that did not conflict with SRTA were March 26-27, 2004. Board members had questions about the original vote to do the exam. Ms Smith went and got the minutes which had the original vote. The old minutes were reviewed and showed that the original vote was taken in 2001. Ms Bell summarizes the past votes. Discussion is held on the implementation of the exam and duties of the staff to prepare for the exam to given. Ms. Bell suggested that a committee be appointed to discuss the implementation and duties of the staff on the exam. It was explained to the Board that the other duties of the administrative would not get done while working on the exam. Dr. Greer appointed Dr. DeArmond to chair a committee to discuss the exam and implementation of the exam. The following were appointed to be on the committee: Dr. Nally, Dr. Fitts, Dr. Schenck, and representatives from both the Meharry School of Dentistry and UT Memphis School of Dentistry. The committee scheduled a meeting for February 6, 2004 at 10:00am and will make report to the Board at the next board meeting in May.

Report for the Office of Investigations

Mr. David referred the Board Members to the investigation report in the meeting books and then turned the floor over to Ms. Denise Moran. Ms Moran introduced Ms. Lea Phelps as the new disciplinary coordinator. Ms. Moran reviews the report with the Board and explains that there are changes being made to the report. The Board made no inquires regarding the report.

Report from the Disciplinary Coordinator

The Board was referred to the disciplinary report in the meeting books. Ms Phelps reviewed the report for the Board members and explained a new program she is working on the keep track of disciplinary actions taken and civil penalties owed. The Board made no inquires regarding the report.

Legislation

Mr. David brought the Boards attention to a bill that had been introduced by the TDA, Senate Bill 2854. Discussions are held on all section of the bill and want the effects it would have on the profession. Dr. Robbins was asked why the TDA felt it necessary to introduce this bill. Dr. Robbins stated that it was the Board of Trustees that felt it necessary to introduce the bill. The Board asked that Dr. Robbins let the Trustees know that they do not feel that the issue was handled properly. Linda Gooden was allowed to address the Board and voice here thoughts and opinions on Sections 1, 2, and 3 of this bill. Ms Betty Fox and Ms. Karen Castleberry also address the Board to let them know of their opposition to the bill. Dr. Greer asks Dr. Robbins to invite the Board of Trustees to come and sit in on a Board meeting.

Motion is made and seconded to recess until 9:00 the next morning. Motion carries.

January 29, 2004

The Board's President, J. Glenn Greer, D.D.S., determined that a sufficient number of Board members were in attendance to constitute a quorum. Therefore, the meeting of the Tennessee Board of Dentistry was called to order at 9:00am, Central Time. Dr. Greer welcomed dental students from three (3) Dental Assisting Schools. Mr. Mark Wildasin did not return to the meeting after lunch.

Report by Deji Ogundiya, D.D.S.

Harry L. Weddle, III, Office of General Counsel, again called the docket for Deji Ogundiya, D.D.S. Mr. Frank Scanlan, attorney for Dr. Ogundiya, was present. Dr. Ogundiya was present, as required by his previous order by the Board. Mr. Weddle distributed the Board's previous Order. Dr. Ogundiya reported on the status of his criminal appeal as ordered by the Board. He reported that no discuss had been made by the Court of Appeals at this time.

Appeal of Denial of Full Dental License

Smith, Roosevelt S. - Educational License No. DS 5153

Harry Weddle, III, Deputy General Counsel, represented the State. The Respondent was present and represented by David Horneck of the Nashville Bar. The Honorable Judge Madeline Williams presided over the hearing. Dr. Charles Rogers recused himself, due to his having served as Board consultant in this matter. Judge Williams polled the other Board members as to their prior knowledge of the circumstances of the case. There were no other members who had prior knowledge of the case.

Mr. Weddle passed copies of the Petition for Licensure Denial Appeal to the Board members for their review. Dr. Smith's application for an upgrade from educational license to full dental licensure was denied by the Board consultant and ratified by the full Board, on the grounds that he did not answer one of the affirmative questions truthfully on page five(5) of the application submitted for licensure. Mr. Weddle passed out copies of the application submitted by Dr. Smith.

Upon consideration of the testimony of witnesses, evidence presented, arguments of counsel, and the charge given by the Administrative Law Judge, the Board proceeded with deliberations.

The Board, upon motion of Dr. Nally and motion seconded, voted to accept as fact #1 that on both the reinstatement application in 1995 and the application for a general dentist license received on August 22, 2002 that Dr. Smith answered the question concerning discipline of a license another state falsely which they considered misleading.

The Board, upon a motion being made and seconded, voted to accept as Fact #2 that Dr. Smith signed the said applications knowing that the questions had been answered falsely.

The Board, upon a motion being made and seconded, voted to accept as Fact #3 that Dr. Smith did sign a Consent Order with the Ohio Board of Dentistry which limited him to having only an Educational License in that state.

The Board, upon a motion being made and seconded, voted to accept as a conclusion of law that Dr. Smith was quality of T.C.A. 63-5-124(a)(3) "Making false or misleading statements or representations." The Board voted not to include the remainder of that section in the conclusion of law.

A motion was made by Dr. Nally and seconded by Dr. Fitts to uphold the denial of Dr. Smith's application for full licensure as a general dentist. The following members voted for the denial to be upheld: Dr. Greer, Dr. Cook, Dr. Fitts, Dr. Naly, Dr. DeArmond, Dr. Schenck, Mr. Wildasin, and Ms Casey. Ms. Fullilove voted not to uphold the denial.

Disciplinary Action

The Board, at it's meeting in January of 2004, took the following disciplinary actions:

Alperin, Murray S. - License No. DS 825

Failure to perform microorganism testing on his autoclave and maintain a log indicating the dates and person(s) conducting the required microorganism testing. Respondent was issued letter of reprimand. Motion it accept the letter of reprimand was made my Ms.Fullilove, second by Dr. Nally. All members present voting in the affirmative to accept the letter of reprimand.

McCurdy, Ted R. - License No. DS 2280

Failure to confine prescriptions to an identified dental procedure, ailment or infirmity, failure to document the prescriptions in the dental records and/or separate log, and failure to maintain dental records in such a manner that a subsequent treating dentist can readily ascertain the treatment provided. Respondent was issued letter of reprimand. Motion to accept letter of reprimand was made my Dr. Cook, second by Dr. Fitts. All members present voting in the affirmative to accept the letter of reprimand.

Presley, Theresa - License No. DS 2690

Pattern of repeated malpractice and failure to maintain dental records in such a manner that a subsequent treating dentist can readily ascertain the treatment provided. Respondent was issued a letter of reprimand. Motion was made to accept letter of reprimand. All members present voting in the affirmative to accept the letter of reprimand.

Prout, Franklin J. - License No. DS 4632

Pattern of repeated malpractice, failure to report updated information on the Practitioner Profile in writing within 30 days after a malpractice payment of more than \$25,000. Respondent was issued a letter of reprimand. Motion was made my Dr. DeArmond to accept the letter of reprimand, second by Dr. Fitts. All members present voting in the affirmative to accept the letter of reprimand.

Sowell, Campbell - License No. DS 1962

Unprofessional conduct and a pattern of continued or repeated negligence. Respondent was issued a letter of reprimand. Motion was made to accept the letter of reprimand by Ms. Fullilove , second by Dr. Nally. All members present voting in the affirmative to accept the letter of reprimand.

Concerned Dental Professionals Committee, Tennessee Dental Association

Mr. David referred the Board members to the report, which was included in the notebooks. Dr. Goodrich reviewed the report with the Board members. He would like for the Board and the committee to share information on any problems that arise concerning the writing of prescriptions.

Board Directors Report

Mr. David referred the Board to his report in the materials and presented the following topics: Informed the Board of a new employee Ms. Tina Talifiaferro. Gave report on the finding of the Registered Dental Assistant Exam Committee. Gave the report on the findings of the Anesthesia/Sedation Committee and let the Board know that Dr. Roddy, the OMS member of the committee, will be at the meeting to give a more detailed report

on the committees meetings. Mr. David reassured the Board that they would be kept up to date on the status of the legislation which the TDA has introduced.

Report from the office of General Counsel

Mr. David referred the Board to the report in the meeting materials for there review. Mr. Ernie Sykes, advisory attorney to the Board summarized the report. Mr. Sykes reviewed a memo from AED with the Board. The memo on dental assisting will be discussed on Friday.

Board Correspondence

The Board reviewed all correspondence in the meeting materials in the books. There were no questions from the Board.

The Board took and 15 min. from 4:30 to 4:45 break and decided to continue with some of the other Board business. Dr. Rogers left at 5:30pm.

Discussion on New Policies

Dental Jewelry-The Board was referred to Tab 11 in the books. Mr. Sykes explained what effect this policy would have when/and if a complaint came in for investigation. After discussion by the Board a motion was made by the Dr. DeArmond and seconded by Dr. Nally to adopt the policy as written. All members present voted in the affirmative to adopt the policy.

Restraint of Pediatric & special needs patients- The Board was directed to Tab 12 of the materials in the Board books. Ms Smith explained why this policy was being asked to be put in place. After review and discussion a motion was made by Dr. Rogers, seconded by Dr. Fitts to adopt this policy as written. All members present voting in the affirmative to adopt this policy.

Discussion on Chemical Dependency & CPR requirements

Discussion was held on rather or not to remove the mandatory requirement for chemical dependency out of the rules. It was explained to the Board that none of the other Tennessee Boards have this requirement. A motion was made by Dr. Cook to remove the chemical dependency requirement from the rules. After further discussion the motion was withdrawn and a motion to remove the mandatory requirement but encourage the licensees to take the course if available was made by Dr. DeArmond and seconded by Dr. Fitts. The following members voted in the affirmative to accept the motion: Dr. Greer, Dr. Rogers, Dr. Cook, Dr. Fitts, Dr. Nally, Dr. Schenck, Ms Fullilove, Mr. Wildasin, and Dr. DeArmond. Ms Casey voted in the negative to accept the motion. Discussion was held on letting the CPR hours count for continuing education credits. Ms. Sykes explained to the Board that the status would not allow them CPR to count as continuing education. A motion was made by Dr. Nally, and seconded by Dr. Rogers to leave the requirements as it reads. There was also a motion made by Dr. Nally and seconded by Dr. Fitts to ask that the TDA look into adding the CPR as continuing education hours. All members present voting in the affirmative to accept the motion.

Specialty Exam

Dr. Schenck made a motion to take the requirement for specialty exams out of the rules. There could not be a motion of vote because it was not on the sunshine notice to vote on removing only to discuss the removal of the exams. Ms. Smith checked and found that it was possible to amend the sunshine notice so that a vote could be taken on Friday. Discussion was held on the reasons for both removing the exam and for not removing the exam. Dr. Schenck expressed his reasoning for removing the specialty exams and Dr. DeArmond expressed his reasoning for not removing the specialty exams. After discussion a motion was made by Dr. Fitts and seconded by Dr. Nally to take a straw vote on rather to remove the requirement for the specialty exams. All members present voted to remove the specialty exam requirement except for Dr. DeArmond and Ms Fullilove.

Certification Courses

Administration & Monitoring of Nitrous Oxide

Chattanooga State Tech Community College- Motion to approve pending clarification and additional information was made by Dr. Nally and seconded by Dr. Fitts. All members present voted in the affirmative to approve the course pending additional information.

Professional Development Association- Motion to approve pending additional information was made by Dr. Nally and seconded by Dr. Fitts. All members present voting in the affirmative to approve the course pending additional information.

Meharry Medical College, School of Dentistry- Motion was made and seconded to table until additional information was received. All members present voting in the affirmative to table the course pending the additional information.

Monitoring of Nitrous Oxide

Northeast State Tech Community College- Motion made and seconded to table until clarification of who was going to be teaching the course was received. All members present voting in the affirmative to table the vote until clarification was received.

Chattanooga State Tech. Community College- Motion was made to approve the course pending additional information. All member present voting in the affirmative to approve the course pending additional information is received.

Professional Development Association- A motion was made by Ms. Fullilove and seconded by Dr. Fitts to approve course pending information was received. All members present voting in the affirmative to approve course pending additional information is received.

Tennessee Dental Assistant Association- Motion was made and seconded to table vote until additional information was received. All members present voting in the affirmative to table the vote until additional information was received.

6th District Dental Society- Motion was made and seconded to approve pending additional information. All members present voting in the affirmative to approve the course pending additional information is received.

Volunteer State Community College- Motion was made by Dr. DeArmond and seconded by Dr. Fitts to approve the course. All members present voting in the affirmative to approve this course.

Coronal Polishing

Chattanooga State Tech. Community College-Motion made by Dr. Nally and seconded by Dr. Fitts to approve the course pending additional information. All members present voting in the affirmative to approve the course pending additional information is received.

University of Tennessee-Memphis Heath Science Center-Motion made by Dr. Nally and seconded by Dr Fitts to approve the course pending additional information. All members present voting in the affirmative to approve the course pending additional information received.

6th District Dental Society-Motion made by Dr. Fitts and seconded by Dr. Cook to approve the course pending additional information. All members present voting in the affirmative to approve the course pending additional information received.

Concord Career College- Discussion was held and it was found that the course was outside the scope of an approved courses. A motion was made by Dr. DeArmond and seconded by Dr. Fitts to deny the course. All members present voting in the affirmative to deny the course.

Sealant Application

Chattanooga State Technical Community College-Motion made by Dr. Nally and seconded by Dr. Fitts to approve the course pending additional information. All members present voting in the affirmative to approve the course pending additional information received.

Motion made and seconded to recess until 9:00 am on Friday

January 30, 2004

The Board's President, J. Glenn Greer, D.D.S., determined that a sufficient number of Board members were in attendance to constitute a quorum. Therefore the meeting of the Tennessee Board of Dentistry was called to order at 9:03am. Mr. Mark Wildasin was not in attendance.

Report on Anesthesia & Sedation Committee

Mr. David introduced Dr. Roddy, a member of the committee to the Board. Dr. Roddy gave an overview of the finding of the committee on the issue of sedating children under 13, as well as other issues. Dr. Roddy gave the Board the recommendations of the committee on the issue concerning the requirements for a dentist to obtain a sedation permit. A motion was made by Dr. Fitts and seconded by Ms. Fullilove to accept the recommendations of the committee. All member present voting in the affirmative to accept the committees' recommendations. Both Dr. Greer and Ms. Robbie Bell commended the committee on the job they are doing.

Civil Penalties

Ms. Smith explained to the Board that the administrative staff was getting phones calls concerning the civil penalties. The amounts of the penalties, in some cases, were \$1000.00 or more. Licensees were expressing that they could not pay the full amount at

one time. Ms. Smith asks if it would be possible to set up set payment plan with these licensees to be complete in a reasonable time frame. After the Boards discussion of the matter a motion was made by Dr. Cook, and seconded by Ms. Fullilove to adopt the nurses program as it applies. All members present voting in the affirmative to adopt the nurses program as it applies.

Specialty Exams Continued

The sunshine notice was amended to allow a vote on the deleting of the requirement of specialty exams. Dr. Schenck made a motion to eliminate the exams and evaluate the licensee by criteria. The motion was seconded by Dr. Fitts. Discussion was held on this matter by the Board. Dr. DeArmond again voiced his strong objection to remove the exam requirement. The following voted in the affirmative to remove the exam requirement: Ms. Casey, Dr. Cook, Dr. Fitts, Dr. Nally, Dr. Greer and Dr. Schenck. The following voted in the negative to remove the exam requirement: Dr. DeArmond, Ms. Fullilove, and Dr. Rogers. The majority wins the motions carries.

Ratification of Waivers

Dr. Moulton Dixon Abernathy, Jr., D.D.S.-After Boards review of the reactivation application Dr. Fitts made a motion to deny the request for a waiver of the competency test made by Dr. Abernathy. Ms Fullilove seconded the motion. All members present voting in the affirmative to deny the waiver of the competency test.

Betty Lynn Greer, RDA-After review of the request from Ms. Greer to waive the CPR requirement for this cycle, Dr. Nally motioned and Dr. Fitts seconded the motion to grant the waiver of the CPR requirement for this cycle.

Ratification of Actions Taken by the Board Consultant

After review of all new licenses, permits, certificates, reinstatements, and reactivations of dentist in Tab 20, Dr. Fitts motioned and Dr. Nally seconded the motion to ratify all new licenses and registrations for this profession. All members present voted to ratify all new licenses and registrations.

After review of all new licenses, certifications, reinstatements, and reactivations if hygienist in tab 21, Dr. Nally motioned and Ms Fullilove seconded the motion to ratify all new licenses and registrations for this profession. All members present voted to ratify all licenses listed in tab 21.

After review of all new licenses, certifications, reinstatements, and reactivations of dental assistants in tab 22, Dr. Nally motioned and Dr. Fitts seconded the motion the ratify all new licenses and registrations for this profession. All members present voted to ratify all licenses and registrations listed.

After review of continuing education courses in tab 23, Dr. Cook made a motion and Ms. Casey seconded the motion to ratify all courses. All members presented voted to ratify all courses listed.

After review of the continuing education courses for limited and /or Comprehensive conscious sedation Dr. Fitts motioned and Ms. Casey seconded the motion to ratify all courses listed.

Contracts

Ms Bell explains to the Board that Gov. Bredezen has asked that all contracts be reviewed and closely monitored. After discussion the Boards decides to proceed with the CDPC as it stands now.

Schedule 2005 Meeting Dates

Discussion was held on the dates for the 2005 meeting of the Tennessee Board of Dentistry. After some discussion it was decided to add a third day to the meetings in January and September. The following dates were set for the 2005 meetings: January 26,27 & 28 with the coronal polishing exam on January 29, May 12, 13 and September 21, 22, & 23 with the coronal polishing exam on September 24. Dr. Cook made a motion and Dr. Fitts seconded the motion to accept this dates for the 2005 board meetings.

Equivalency of exam administered by another state

Tim Bakelaar, D.D.S.-Application for license as a general dentist by criteria. Dr. Bakelaar has practiced in Mississippi for less than two(2) years and took the Mississippi State Exam. After review of the information submitted on the exam my Dr. Bakelaar a motion was made and seconded to ask for more information and it back to the Board for review at the May meeting. All members present voted in the affirmative to accept he motion.

Applicant Interview

Ms. Linda Hirsch, RDH - Application for license as a Dental Hygienist with NERB scores more than 5 years old. Ms. Hirsch plans to practice in the Brentwood area. Questions from the Board. Motion to approve applicant for licensure from Dr.Roger, second by Dr. Fitts. All members present voting in the affirmative for approval.

Dr. Asma Furrukh Malik, D.D.S. - Application for license as a General Dentist with NERB scores more than 5 years old. Dr. Malik explained her husband was a doctor in Kingsport and she would be practicing there. Question from the Board. Motion to approve applicant for licensure was made by Dr. Cook, second from Dr. Nally. All members present voting in the affirmative for approval.

Dr. Russell Hulse, D.D.S.- Application for license as a General Dentist with WREB scores more than 5 years old. Ms. Smith let the Board know that he had disciplinary action taken against is license in Texas, and that he plans to practice with is wife in Knoxville. Dr. Hulse completed requirements in Texas last year. The Board reviewed the information and asks questions. Motion to approve applicant for licensure from Dr. Cook, second by Ms. Fullilove. All members present voting in the affirmative for approval.

Dr. Liana Bulan, D.D.S.- Application for license as a General Dentist with STRA scores more 5 years old. Question from the Board. Dr. Bulan stated that she plans to practice in the Kingsport area. Motion to approve applicant for licensure from Dr. Fitts, second from Dr. Nally. All members present voting in the affirmative for approval.

Dr. Ladan A.Tavakoli, D.D.S.- Application for license as a General Dentist with STRA scores more than 5 years old. Questions from the Board. Dr. Tavakoli stated that he plans to practice in the Clarksville Area. Motion to approve applicant for licensure from Dr. DeArmond, second by Fitts. All member present voting in the affirmative for approval.

Dr. Troy Randall Napier, D.M.D.- Application for license as a General Dentist with STRA scores more than 5 years old. Questions from the Board. Dr. Napier stated that he is planning to retire from the Navy in July and plans to relocate to the Knoxville area. Motion was made to approve applicant for licensure from Dr. Nally, second by Ms. Fullilove. All members present voting in the affirmative for approval.

Discussion on Expanded Duties for Dental Assistants & Hygienist

Dr. Nally updates the Board on the results of the committee which he chairs to determine if expanded duties are something that the Board would feel comfortable allowing in the State of Tennessee. Mr. Skyes then discussed his memo on the subject. He expressed his opinion that the Board lacks the authority to recognize a new level of practice for dental assistant. However the Board may be able to legally establish a new, purely on the job training method for becoming a registered dental assistant if it can meet the practical challenges of providing sufficient oversight and uniformity to such training processes. The Board held discussion on the memo. Dr. Greer then opened the floor to comments from the gallery. Mary Ellen Vaughn, RDA, CDA spoke on expanded duties. She expressed her concern with allow a dental assistant to be able to perform expanded duties. The Board expressed their concerns with allowing the use of a high speed hand pieces and the safety of the patient. Ms. Betty Fox, RDA expressed her thoughts on the matter. Ms Fox is in favor of the prosthesis part of the expanded functions but not the restorative section. She feels that most assistants do not have the skills or experience to perform these duties. She would like to make sure that there is a dental assistant on the Board when this matter is discussed. Dr. Moore, from the TDA, let the Board know that there had been committees which reviewed the issues before the House of Delegates. The Board of Trustees support the restorative but not the prosthetic but the House of Delegates voted on both. Dr. Moore explained that Dean Slagle from the University of Memphis had brought 2 proposals for the curriculum to the Board of Trustees. Dr. Greer reminded Dr. Moore that the 1st proposal for the curriculum was rejected by the Board and another one was presented and still had things that the Board did not care for. Dr. Greer stated that the Board had formed a committee to review and make a recommendation on the issue, and now the TDA went over the Board's head and introduced legislation to force them to make rules to allow the expanded functions. Dr. Moore let the Board know that the Board of Trustees approved restorative without the use of high speed hand piece. Dr. DeArmond is worried that if this legislation is passed that Dentist could be accused of passing it just so they can make bigger profits.

Dr. Nally asks for an explanation as to why the TDA introduced the legislation. Mr. Skyes explained that the law was passed last year which gave the Board the authority to allow the expanded functions or not to allow them, and that this Bill will force the Board to make rules to allow the expanded functions. Linda Sudberry, RDH from Bedford Co. addressed the Board on the expanded functions. Ms. Sudberry is opposed to hygienists branching into the restorative functions since their training is mostly in preventive care. She feels that the training and education is the most important part of the issue. Dr. Cook agrees that this will be viewed as self-serving to increase profits for the dentist. Dr. Greer recommended that Dr. Nally and the committee to continue to meet and review the opinions. Dr. Nally asked the Board for direction on whether they want all, part or none of the expanded functions. Dr. Rogers, Dr. Greer, Ms. Fullilove, Dr. Cook and Dr. DeArmond felt that the safer of the two would be prosthesis, and Ms. Casey was in favor of both parts of the duties. Ms. Casey feels that the dentists need to know their supervision duties. Dr. DeArmond suggested that there also be a course that the dentist must take before allowing a dental assistant or hygienist perform these duties. He also wanted to know if there was a need for the expanded duties. Ms. Casey asks that the Board ask the schools to look at into a local anesthesia curriculum and have the committee review that subject. The Board was told they cannot do that at this time. The Committee will meet and report back at the May meeting.

Registered Dental Assistant Exam

Mr. David updated the Board on a committee which was formed to evaluate the RDA exam. Mr. David explained why the committee was formed and who the members were. Mr. David then explained the ideas that the committee had come up with to fix the problem with the exam. He directed them to Tab 19 which showed the the committee's work. Dr. DeArmond made a motion and Ms. Fullilove seconded the motion to accept what the committee had done this far. The following members voted to accept what the committee had done: Dr. Greer, Dr. Cook, Dr. Nally, Dr. DeArmond, Dr. Roger, Dr. Fitts, Ms. Casey, and Ms. Fullilove. Dr. Schenck voted not to accept the committee report. Dr. Greer asks the same committee with the addition of Carolyn Roach to meet and develop a course syllabus for the dental assistant schools.

Certification Courses Continued

All school which had ask for approval for certification which was approved pending additional information was given to the Board for there approval. Motion was made by Dr. Nally to approve all courses when requested changes were made. Ms. Fullilove seconded the motion. All members present voting in the affirmative to accept the courses when requested information is received. The Board ask that a statement be in all approval letters says that this approval expires 12/31/04 and that they must ask for approval each year. Also they should not advertise the course until it has been approved by the Board.

Motion was made by Ms. Fullilove made a motion and seconded by Dr. Nally to send a letter in opposition to a Dental Student Bill in California that would allow dental students to practice as hygienists during school. The following members present voted to send a letter: Dr. DeArmond, Dr. Greer, Dr. Rogers, Dr. Nally, Dr. Fitts, Ms. Casey, and Ms.

Fullilove, and Dr. Shenck. Dr. Cook voted in the negative to send a letter of opposition to the Bill.

Dr. Fitts made a motion to wait until May to elect officers. Dr. Cook seconded the motion. All members present voted in the affirmative to wait until May to elect officers. The Board thanked Dr. Charles Rogers for his years of service on the Board. Dr. Rogers' term will expire in March.

A motion was made and seconded to adjourn the meeting of the Tennessee Board of Dentistry.